

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0582 Riverside Vo-Tech

ACT#: 933

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CONTINGENCY. (a) To address needs emerging from the restructuring of the Technical Institutes, Riverside Vocational Technical School shall establish and maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of three (3) unclassified positions and two (2) classified positions, payable from funds appropriated for Riverside Vocational Technical School. These positions are to be used by Riverside Vocational Technical School in the event that the number and level of positions available to address the needs emerging from the increasing number of inmates incarcerated within the Arkansas Department of Correction and business and industry driven program expansions exceeds the number of positions regularly authorized for Riverside Vocational Technical School.

(b) Riverside Vocational Technical School shall provide justification to the Department of Finance and Administration's Office of Personnel Management (OPM) for the need to allocate titles from this position pool. No classifications will be assigned to the pool until such time as specific positions are requested and justified by Riverside Vocational Technical School, recommended by OPM and approved by the Legislative Council. Riverside Vocational Technical School may transfer positions from this pool to any pay schedule the agency currently maintains or any pay schedule the agency receives during the ~~2003-2005~~ 2005-2007 biennium.

(c) Determining the number of personnel to be employed by a state agency is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of personnel by

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identifying job titles and the maximum grade or salary attached to those titles. The General Assembly has determined that Riverside Vocational Technical School could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing growth pools in subsection (a) of this section and since the General Assembly has granted the agency broad powers under the growth pool concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the growth pool by requiring prior approval of the Legislative Council in the utilization of the growth pool. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next biennium, the position(s) must be requested as a new position(s) in the agencies biennial budget request.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005-2007~~.

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SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PART-TIME FACULTY. Riverside Vocational Technical School and the Technical Institutes are not required to remit a state contribution to the state employee insurance trust fund on Workforce Education Part-time Faculty Positions unless the position will be utilized for more than 1,000 hours a year.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST